

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and

HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION NO : 11871 of 2004

Between:

Nagabandi Dayakar S/o. Kedari
R/o. 6-232, Main Road, Pakal, Warangal District.

..... PETITIONER

AND

- 1 The Regional Manager, Region-1 State Bank of Hyderabad, J.P.N..Road, Warangal District.
- 2 The Manager, State Bank of Hyderabad
Parkal, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of

writ of Mandamus and declare the action of the respondents 1,2 as illegal and arbitrary and sub judice and set aside the notification dt 6.6.2004 issued by respondent No.2 under Sec 13 (4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, of financial assets and enforcement of security interest Act 2002, r/w security interest (enforcement) Rules 2002 and grant time for further 2 years to repay the outstanding loan amount.

Counsel for the Petitioner:MR.JOGRAM TEJAVATH.

Counsel for the Respondents : None appeared.

The Court made the following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

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There is adequate, alternative and efficacious remedy available to the petitioner under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, to question the legality and validity of the action taken by respondents under Section 13(4) of the said Act. Without availing of such remedy, petitioner has approached this court with this petition. We are not inclined to interfere in this matter in view of the alternative remedy available. Accordingly writ petition is dismissed. No costs.

DEVINDER GUPTA. C.J.,

G. ROHINI. J.,

Dated: 15.07.2004.

VRK.

To

1 The Regional Manager, Region-1 State Bank of Hyderabad, J.P.N..Road,
Warangal District.

2 The Manager, State Bank of Hyderabad
Parkal, Warangal District.

3. Two CD copies.

**HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE
AND
HON'BLE Ms. JUSTICE G. ROHINI.**

W.P.NO. 11871 OF 2004.

**(Order of the Bench delivered by
Hon'ble The Chief Justice)**

Dt: 15.07.2004.

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